



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

18 June 2010

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "71 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility. Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.nasa.gov/offices/rrac/home/>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Manager, Sharon Scroggins at 256-544-7932 (sharon.scroggins@nasa.gov).

Contents of This Issue

1.0	U.S. Federal Regulatory Review	4
1.1	Federal Register Summary	4
1.2	Other News and Developments	10
1.2.1	<i>Senate Rejects Resolution Aimed at Halting Greenhouse Gas Rules</i>	10
1.2.2	<i>EPA Places Four IRIS Assessments on Hold Pending Review</i>	11
1.2.3	<i>EPA Finds Formaldehyde Causes Cancer, Opening Door to New Air Regulations</i>	11
1.2.4	<i>EPA Notifies States of Areas that Would Not Meet Tighter Lead Air Standards</i>	12
1.2.5	<i>ECHA Identifies Eight Substances of Very High Concern</i>	12
1.2.6	<i>Presidential Memorandum Directs Executive Departments and Agencies to Identify Excess Properties</i>	13
1.3	Regulatory Communication Working Group Updates	13
2.0	State Regulatory Reviews	14
2.1	Alabama State Regulatory Review	14
2.2	California State Regulatory Review	14
2.3	Colorado State Regulatory Review	15
2.4	Florida State Regulatory Review	16
2.5	Louisiana State Regulatory Review	16
2.6	Maryland State Regulatory Review	17
2.7	Mississippi State Regulatory Review	17
2.8	New Mexico State Regulatory Review	17
2.9	Ohio State Regulatory Review	18
2.10	Texas State Regulatory Review	18
2.10.1	<i>New HRVOC Cap and Trade ECT-6H Guidance Available</i>	19
2.11	Utah State Regulatory Review	19
2.12	Virginia State Regulatory Review	20

Acronyms

CAA = Clean Air Act
CAEATFA = California Alternative Energy and Advanced
Transportation Financing Authority
CCR = *California Code of Regulations*; also *Colorado Code
of Regulations*
CFC = Chlorofluorocarbon
CFR = *Code of Federal Regulations*
chRD = Child-specific reference dose
CRNR = *California Regulatory Notice Register*
DAPC = Division of Air Pollution Control
DAR = Division of Administrative Rules
1,1-DCE = 1,1-Dichloroethene
DEQ = Department of Environmental Quality
DOT = Department of Transportation
ECHA = European Chemicals Agency
EPA = U.S. Environmental Protection Agency
ETBE = Ethyl tertiary butyl ether
F.A.C = Florida Administrative Code
FAW = *Florida Administrative Weekly*
FR = *Federal Register*
FY = Fiscal year
GHG = Greenhouse gas
HCFC = Hydrochlorofluorocarbon
HRVOC = Highly reactive volatile organic compound
HW = Hazardous waste
IRIS = Integrated Risk Information System
LAC = Louisiana Administrative Code
 $\mu\text{g}/\text{m}^3$ = Microgram per cubic meter
MAF = Michoud Assembly Facility
MSC = Member State Committee
MTBE = Methyl tributyl ethylene

NAAQS = National Ambient Air Quality Standards
NASA = National Aeronautics and Space Administration
NAS = National Academy of Science
NATA = National Air Toxics Assessment
NEPA = National Environmental Policy Act
NESHAP = National Emissions Standards for Hazardous
Air Pollutions
NSPS = New Source Performance Standards
NTP = National Toxicology Program
OAC = Ohio Administrative Code
ODS = Ozone depleting substance
OEHA = Office of Environmental Health Hazard
Assessment
OEPA = Ohio Environmental Protection Agency
OMB = Office of Management and Budget
PM = Particulate matter
PM_{2.5} = Particulate matter with an aerodynamic equivalent
diameter of 2.5 microns or less
ppm = Parts per million
PSD = Prevention of significant deterioration
RIN = Regulatory Identification Number
RCRA = Resource Conservation and Recovery Act
RRAC PC = Principal Center for Regulatory Risk Analysis
and Communication
SIP = State Implementation Plan
SJRWMD = St. John River Water Management District
SVHC = Substance of very high concern
TAC = Texas Administrative Code
UAC = Utah Administrative Code
U.S. = United States

1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts to NASA Centers and Programs.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED06182010-1	Air GHG Mandatory Reporting Rule	06/15/2010	75 FR 33949	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Mandatory Reporting of Greenhouse Gases [40 CFR Parts 86 and 98]</p> <p>Proposes to amend specific provisions in the Greenhouse Gas Mandatory Reporting Rule to correct technical and editorial errors and to clarify or propose minor updates to certain provisions that have been the subject of questions from reporting entities. Proposed changes include the following:</p> <ul style="list-style-type: none"> ▪ Additional information to better or more fully understand compliance obligations ▪ Corrections to data reporting elements so they more closely conform to the information used to perform emission calculations ▪ Other corrections and amendments <p>Comments due 07/30/2010. If a public hearing is requested by 06/22/2010, one will be held 06/30/2010 in the Washington, D.C., area. [RIN 2060-A079]</p>	
FED06182010-2	Air NAAQS–Carbon Monoxide	06/07/2010	75 FR 32178	Notice	<p>U.S. Environmental Protection Agency</p> <p>Release of Final Document Related to the Review of the National Ambient Air Quality Standards for Carbon Monoxide</p> <p>Announces the availability of a final document titled, "Quantitative Risk and Exposure Assessment for Carbon Monoxide." Document describes quantitative analyses that have been conducted as part of the review of the NAAQS for carbon monoxide. Document is available on EPA's website.</p>	
FED06182010-3	Air NAAQS–PM	06/09/2010	75 FR 32763	Notice Meeting	<p>U.S. Environmental Protection Agency</p> <p>Science Advisory Board Staff Office; Notification of a Public Meeting of the Clean Air Scientific Advisory Committee Particulate Matter Review Panel</p> <p>Announces a meeting of the Scientific Advisory Particulate Matter Review Panel to review the forthcoming "Policy Assessment for the Review of Particulate Matter National Ambient Air Quality Standards—Second External Review Draft" (June 2010). Meeting to be held 07/26/2010 to 07/27/2010 in Durham, North Carolina.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED06182010-4	Air NAAQS-PM2.5	06/09/2010	75 FR 32673	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Finding of Failure To Submit Section 110 State Implementation Plans for Interstate Transport for the 2006 National Ambient Air Quality Standards for Fine Particulate Matter [40 CFR Part 52]</p> <p>Announces a finding that certain states have failed to submit SIPs to satisfy the attainment and maintenance interstate transport requirements with respect to the 2006 24-hour NAAQS for PM2.5. Creates a 2-year deadline for EPA to promulgate a Federal Implementation Plan unless, prior to that deadline, a state submits a SIP approved by EPA. Includes the following states or territories that may be of interest to NASA:</p> <ul style="list-style-type: none"> ▪ Colorado ▪ Louisiana ▪ Utah ▪ Virginia ▪ District of Columbia <p>Effective 07/09/2010.</p>	
FED06182010-5	Air NESHAPS for Boilers, Process Heaters, and Solid Waste Incineration Units	06/09/2010	75 FR 32682	Notice	<p>U.S. Environmental Protection Agency</p> <p>National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters; National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers; Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Commercial and Industrial Solid Waste Incineration Units; Identification of Non-Hazardous Secondary Materials That Are Solid Waste [40 CFR Parts 60, 63, and 241]</p> <p>Announces public hearings and extension of comment periods regarding proposed NESHAPS for boilers, process heaters, and solid waste incineration units. Comment periods extended to 08/03/2010. Public hearings to be held in:</p> <ul style="list-style-type: none"> ▪ Arlington, Virginia, on 06/15/2010 ▪ Houston, Texas, on 06/22/2010 ▪ Los Angeles, California, on 06/22/2010 <p>[RIN 2060-AG69, RIN 2060-AM44, RIN 2060-AO12, RIN 2050-AG44]</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED06182010-6	Air NSPS for Stationary Compression Ignition Internal Combustion Engines	06/08/2010	75 FR 32611	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Standards of Performance for Stationary Compression Ignition and Spark Ignition Internal Combustion Engines; Proposed Rule [40 CFR Parts 60, 1039, 1042, 1065, and 1068]</p> <p>Proposes revisions to the standards of performance for new stationary compression ignition internal combustion engines. Would implement more stringent standards for stationary compression ignition engines with displacement greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder. Also proposes to provide additional flexibility to owners and operators of affected engines, and would correct minor mistakes in the initial standards of performance. Proposes revisions to the requirements for engines with displacement at or above 30 liters per cylinder. Also would make minor revisions to the standards of performance for new stationary spark ignition internal combustion engines to mirror certain revisions proposed for compression ignition engines. Comments due 08/09/2010. If a public hearing is requested by 06/28/2010, it will be held 07/08/2010 in Research Triangle Park, North Carolina. [RIN 2060-AP67]</p>	
FED06182010-7	Air Ozone Depleting Substances	06/16/2010	75 FR 34017	Notice	<p>U.S. Environmental Protection Agency</p> <p>Protection of Stratospheric Ozone: Notice 25 for Significant New Alternatives Policy Program [40 CFR Part 82]</p> <p>Expands the list of acceptable substitutes for ODSs. Substitutes are for use in the following sectors:</p> <ul style="list-style-type: none"> Refrigeration and air-conditioning Foam blowing Aerosols Sterilants <p>The majority of the substitutes are as alternatives to the Class II ODSs HCFC-22 and HCFC-142b, and blends containing one or both of these substances. Also includes HFO-1234ze, acceptable as a substitute for CFC-113 in the heat transfer end use and as a substitute for CFC-11 in the aerosol propellant end use. Effective 06/16/2010. [RIN 2060-AG12]</p>	
FED06182010-8	Carbon Sequestration	06/14/2010	75 FR 33613	Notice Workshop	<p>Office of Energy Efficiency and Renewable Energy</p> <p>Notice of the Carbon Sequestration–Geothermal Energy–Science Joint Workshop</p> <p>Announces a joint workshop on Common Research Themes for Carbon Storage and Geothermal Energy to discuss geosciences research needs for subsurface reservoir characterization, development, and management. Workshop to be held 06/15/2010 to 06/16/2010 in Rockville, Maryland.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED06182010-9	Drinking Water Test Procedures	06/08/2010	75 FR 32295	Final Rule	U.S. Environmental Protection Agency Expedited Approval of Alternative Test Procedures for the Analysis of Contaminants Under the Safe Drinking Water Act; Analysis and Sampling Procedures [40 CFR Part 141] Announces approval of alternative testing methods for use in measuring the levels of contaminants in drinking water and determining compliance with national primary drinking water regulations. Makes 12 additional methods available for analyzing drinking water samples. Effective 06/08/2010.	
FED06182010-10	Energy Smart Grid	06/14/2010	75 FR 33611	Notice	U.S. Department of Energy Implementing the National Broadband Plan by Empowering Consumers and the Smart Grid: Data Access, Third Party Use, and Privacy Announces a public meeting to obtain comments and information from interested parties to assist in understanding current and potential practices and policies to empower consumers (and perhaps others) through access to detailed energy information in electronic form—including real-time information from smart meters, historical consumption data, and pricing and billing information. Public meeting to be held 06/29/2010 in Washington, D.C.	
FED06182010-11	Gulf Oil Spill	06/09/2010	75 FR 32769	Notice	U.S. Environmental Protection Agency Science Advisory Board Staff Office; Request for Nominations of Experts to Provide Scientific and Technical Advice Related to the Gulf of Mexico Oil Spill Requests public nominations of experts to serve on potential workgroups or panels to advise EPA regarding scientific and technical issues related to the Gulf of Mexico Oil Spill. Nominations due 06/24/2010.	
FED06182010-12	Hazardous Materials Special Permits	06/17/2010	75 FR 34523	Notice	Pipeline and Hazardous Materials Safety Administration Office of Hazardous Materials Safety; Notice of Application for Special Permits Provides a list of applications for special permits. Includes the following: <ul style="list-style-type: none"> Application Number 15037-N, NASA, Washington, D.C. To authorize the transportation in commerce of non-DOT specification packaging for the transportation in commerce of dinitrogen tetroxide and methylhydrazine by motor vehicle. 	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED06182010-13	Natural Resources National Handbook of Conservation Practices	06/15/2010	75 FR 33761	Notice	<p>Natural Resources Conservation Service</p> <p>Notice of Proposed Changes to the Natural Resources Conservation Service's National Handbook of Conservation Practices</p> <p>Notice of intent to issue a series of revised conservation practice standards in the National Handbook of Conservation Practices. These standards include the following:</p> <ul style="list-style-type: none"> ▪ Animal Mortality Facility ▪ Critical Area Planting ▪ Composting Facility ▪ Grazing Land Mechanical Treatment ▪ Hedgerow Planting ▪ Irrigation Canal or Lateral ▪ Irrigation Land Leveling ▪ Irrigation System, Surface, and Subsurface ▪ Riparian Herbaceous Cover ▪ Rock Barrier ▪ Roofs and Covers ▪ Runoff Management System ▪ Shallow Water Development and Management ▪ Streambank and Shoreline Protection ▪ Upland Wildlife Habitat Management ▪ Wetland Wildlife Habitat Management <p>The standards are used by state offices to develop state conservation practice standards. These practices may be used in conservation systems that treat highly erodible land or on land determined to be a wetland. Comments due 07/15/2010. Effective 06/15/2010.</p>	
FED06182010-14	Natural Resources NEPA	06/15/2010	75 FR 33838	Notice	<p>National Aeronautics and Space Administration</p> <p>National Environmental Policy Act; Scientific Balloon Program</p> <p>Notice of availability and request for comments on the Draft Programmatic Environmental Assessment and Draft Finding of No Significant Impact for NASA's Scientific Balloon Program. Draft assessment analyzes scientific balloon launch and flight operations originating from NASA's Columbia Scientific Balloon Facilities in Fort Sumner, New Mexico, and Palestine, Texas. NASA is not proposing to change the launch locations and is only proposing to increase the number of scientific balloons launched each year. Balloon flights originating from Fort Sumner would increase from 15 to 25 annually; balloons launched from Palestine would continue at approximately 6 per year. The Draft Finding of No Significant Impact preliminarily concludes that an Environmental Impact Statement is not needed for the proposal. Comments due 07/15/2010.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED06182010-15	Occupational Safety Combustible Dust	06/07/2010	75 FR 32142	Notice	Occupational Safety and Health Administration Combustible Dust [29 CFR Part 1910] Invites interested parties to participate in a Web Chat on the workplace hazards of combustible dust . Information gathered in response to this Web Chat will be used in developing a proposed standard for combustible dust. Web Chat to be held 06/28/2010. [RIN 1218-AC41]	
FED06182010-16	Policy EPA Strategic Plan	06/18/2010	75 FR 34736	Notice	U.S. Environmental Protection Agency Draft FY 2011-2015 EPA Strategic Plan Announces availability of the Draft FY 2011-2015 EPA Strategic Plan for public review and comment. Plan provides EPA's long-term direction and strategies to improve environmental and human health over the next 5 years. Presents five strategic goals to accelerate protection of the environment and human health and five cross-cutting fundamental strategies for changing the way the EPA works: <ul style="list-style-type: none"> ▪ Taking Action on Climate Change and Improving Air Quality ▪ Protecting America's Waters ▪ Cleaning Up Our Communities ▪ Ensuring the Safety of Chemicals and Preventing Pollution ▪ Enforcing Environmental Laws The five cross-cutting fundamental strategies are as follows: <ul style="list-style-type: none"> ▪ Expanding the conversation on environmentalism ▪ Working for environmental justice and children's health ▪ Advancing science, research, and technological innovation ▪ Strengthening state, tribal, and international partnerships ▪ Strengthening EPA's workforce and capabilities Plan also identifies a suite of strategic measures by which the EPA will hold itself accountable. Comments due 07/30/2010.	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED06182010-17	Procurement Small Businesses	06/14/2010	75 FR 33657	Notice	<p>Small Business Administration</p> <p>Notification of a Public Meeting and Mailbox on the Presidential Memorandum on Federal Small Business Contracting</p> <p>Invites interested parties from both the public and private sectors to offer their views on the challenges small businesses face in pursuing federal contracts, on best practices for overcoming these challenges, and for increasing small business participation in the federal marketplace. Meeting to be held in furtherance of the Presidential Memorandum establishing an Interagency Task Force to develop proposals and recommendations for enhancing the use of small businesses in federal contracting, including businesses owned by women, minorities, socially and economically disadvantaged individuals, and service-disabled veterans of our Armed Forces. Meeting to be held 06/28/2010 in Washington, DC.</p>	
FED06182010-18	Toxic Substances Dioxins	06/14/2010	75 FR 33615	Notice	<p>U.S. Environmental Protection Agency</p> <p>Draft EPA's Reanalysis of Key Issues Related to Dioxin Toxicity and Response to NAS Comments.</p> <p>Announces a listening session for the external review draft document entitled "EPA's Reanalysis of Key Issues Related to Dioxin Toxicity and Response to NAS Comments." Listening session to be held 07/09/2010 in Arlington, Virginia, and via teleconference.</p>	
FED06182010-19	Waste Emission Comparable Fuel	06/15/2010	75 FR 33712	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Withdrawal of the Emission-Comparable Fuel Exclusion Under RCRA [40 CFR Part 261]</p> <p>Withdraws the conditional RCRA exclusion for Emission Comparable Fuel. These are fuels produced from hazardous secondary materials which, when burned in industrial boilers under specified conditions, generate emissions that are comparable to emissions from burning fuel oil in those boilers. EPA has concluded that Emission Comparable Fuel is more appropriately classified as a discarded material and regulated as a hazardous waste. Exclusions for comparable fuel and synthesis gas fuel are not affected by this final rule. Effective 06/15/2010. [RIN 2050-AG57]</p>	

1.2 Other News and Developments

1.2.1 Senate Rejects Resolution Aimed at Halting Greenhouse Gas Rules

The Senate rejected a bid to block EPA regulation of GHG emissions, killing a resolution that would have nullified EPA rules on emissions from motor vehicles and sources such as power plants and refineries.

The resolution would have overturned a 7 December 2010 finding by EPA that GHG emissions from cars and light trucks endanger public health and welfare. The finding served as justification for emissions limits on cars and light trucks, which were announced 1 April 2010 by EPA in a joint rulemaking with the DOT that also increased fuel economy standards. The vehicle standards in turn triggered CAA requirements for new and modified stationary sources to control emissions. The Murkowski resolution would have nullified all of these actions.

In the coming weeks, several senators will be seeking a floor vote on an alternative measure that also seeks to affect current GHG rules. The proposed bill, [S.3072.IS](#), would delay regulation of power plants, factories, and other stationary sources for 2 years.

More information regarding GHG regulations and standards for vehicles and engines can be found at the EPA [website](#).

1.2.2 EPA Places Four IRIS Assessments on Hold Pending Review

EPA announced it is holding four (methanol, MTBE, ETBE, and acrylonitrile) of its ongoing IRIS assessments, used to determine the impact of specific chemicals on human health, pending a review of some of the underlying studies used in the assessments.

EPA is holding these assessments due to a report from the National Toxicology Program (NTP) that outlines a recent review of a research study completed by the Ramazzini Institute, a laboratory in Italy that conducts animal testing to evaluate the potential cancer-causing effects of chemicals. NTP's report recommends that further pathology reviews be carried out to resolve differences of opinion between NTP scientists and the Ramazzini Institute in the diagnoses of certain cancers reported in the study.

EPA undertook a thorough review of all ongoing and previous chemical assessments to determine which, if any, relied substantially on cancer testing from the Ramazzini Institute. EPA found six total assessments that significantly rely on data from Ramazzini cancer studies and will continue its review to determine if any other assessments are affected significantly. EPA has placed the affected the four ongoing assessments on hold and is reviewing the two previously completed assessments (vinyl chloride and 1,1-DCE) to determine the appropriate action.

For more information, view the IRIS section of the EPA [website](#).

1.2.3 EPA Finds Formaldehyde Causes Cancer, Opening Door to New Air Regulations

EPA released a new draft [IRIS assessment](#) of formaldehyde, finding a causal link between formaldehyde exposure and several types of cancer. The study may lead to an increase of new air quality regulations for stationary and mobile sources, including natural gas turbines, refineries, plywood facilities, and other sources that emit the gas.

The new upper-bound lifetime unit risk estimate of 0.13 ppm is more stringent than the old estimate (published in 1991) by a factor of 10. The new draft assessment also includes a first-time estimate of non-cancer risk that formaldehyde poses.

EPA will use its new formaldehyde risk factor in the pending update of the National Air Toxics Assessment (NATA), an air emissions database used by EPA and states to identify pollutants of the greatest concern. Although NATA itself is not designed to be the sole basis

of regulation, its findings can be used to prompt further research that may spur rules to limit exposures to a pollutant.

Formaldehyde is present in a wide variety of products including some plywood adhesives, abrasive materials, insulation, insecticides, and embalming fluids. Major sources of anthropogenic emissions of formaldehyde, such as motor vehicle exhaust, power plants, manufacturing plants that produce or use formaldehydes or substances that contain formaldehyde (glues), petroleum refineries, coking operations, incineration, wood burning, and tobacco smoke, may be subject to stricter regulations.

More information about the new draft of the IRIS assessment for formaldehyde can be found at the EPA [website](#).

1.2.4 EPA Notifies States of Areas that Would Not Meet Tighter Lead Air Standards

EPA has notified 12 states that they have at least one area under consideration for a nonattainment designation based on the 2008 lead standards. A nonattainment area would include counties with monitors that show violations of the lead standard and nearby areas contributing to that violation. Five of the 12 states notified are states in which NASA or contractor facilities are located - Alabama, Florida, Ohio, Texas, and California. However, only Los Angeles County, California is listed as a potential nonattainment area. Other counties in which NASA facilities are located are not under consideration.

EPA will designate nonattainment areas by October 2010 using data from currently operating monitors. Comments regarding the plans outlined in the letters and additional information may be submitted to EPA by 16 August 2010.

On 15 October 2008, EPA substantially strengthened the air standards for lead by ten-fold, setting them at $0.15 \mu\text{g}/\text{m}^3$. EPA also established requirements for siting new lead air monitors that took effect on 1 January 2010. EPA intends to make a second round of final designations in October 2011 using information from the new monitors.

More information regarding lead designations can be found on the EPA [website](#).

1.2.5 ECHA Identifies Eight Substances of Very High Concern

The European Chemicals Agency (ECHA) Member State Committee (MSC) has agreed unanimously on the identification of eight substances of very high concern (SVHCs) that may become subject to authorization. These substances will be included in the Candidate List after a decision on inclusion has been made by ECHA.

The agreement of the MSC concerns the following eight substances, which are carcinogenic, mutagenic, or reprotoxic substances:

- Trichloroethylene
- Boric acid
- Disodium tetraborate anhydrous
- Tetraboron disodium heptaoxide hydrate
- Sodium chromate
- Potassium chromate
- Ammonium dichromate
- Potassium dichromate

More information can be found at the ECHA [website](#).

1.2.6 Presidential Memorandum Directs Executive Departments and Agencies to Identify Excess Properties

A 10 June 2010 Presidential Memorandum, [*Disposing of Unneeded Federal Real Estate—Increasing Sales Proceeds, Cutting Operating Costs, and Improving Energy Efficiency*](#), directs executive departments and agencies to accelerate efforts to identify and eliminate excess properties. Agencies are to take immediate steps to make better use of remaining real property assets as measured by use and occupancy rates, annual operating cost, energy efficiency, and sustainability. Agencies also are required to develop plans to consolidate and significantly reduce data centers within 5 years. These plans are to be submitted to the Office of Management and Budget (OMB) for review by 30 August 2010.

1.3 Regulatory Communication Working Group Updates

Regulatory Communication Working Group calls in 2010 will be held on the following Wednesdays at 12 p.m. CT:

- 30 June
- 21 July
- 11 August
- 1 September
- 22 September
- 24 November
- 15 December

2.0 State Regulatory Reviews

The following sections provide details about the regulatory actions reviewed for selected states in which NASA facilities and related operations are located.

2.1 Alabama State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Alabama.

2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in California. Citations of the [CRNR](#) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (pdf) file format.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA06182010-1	Air SIP	06/08/2010	75 FR 32353	Proposed Rule	U.S. Environmental Protection Agency Revisions to the California State Implementation Plan, South Coast Air Quality Management District [40 CFR 52] Proposes to approve revisions to the South Coast Air Quality Management District portion of the SIP. These revisions involve standards for continuous emission monitoring systems. Comments due 07/08/2010.	
CA06182010-2	Occupational Safety High Visibility Apparel	06/11/2010	CRNR 2010, 24z, p. 930	Final Rule	Occupational Safety and Health Standards Board Use of High Visibility Apparel--Private Roads and Off-Highway Situations [8 CCR 1590] Updates terminology describing the high-visibility safety apparel requirements and clarifies that the clothing requirements are applicable to any employees on foot and exposed to vehicular traffic hazards while working on private roadways or off-highway situations. Effective 07/02/2010.	
CA06182010-3	Proposition 65	06/11/2010	CRNR 2010, 24z, p. 899	Notice	Office of Environmental Health Hazard Assessment Chemicals Known to the State to Cause Cancer or Reproductive Toxicity Revised and republished list of chemicals known to the State of California to cause cancer or reproductive toxicity.	
CA06182010-4	Proposition 65 Chlorpyrifos	06/18/2010	CRNR 2010, 25z, p. 960	Notice	Office of Environmental Health Hazard Assessment Child-Specific Reference Dose (chRD) for School Site Risk Assessment--Chlorpyrifos Announces the availability of the Final Report .	
CA06182010-5	Proposition 65 Chlorsulfuron	06/11/2010	CRNR 2010, 24z, p. 916	Notice	Office of Environmental Health Hazard Assessment Notice of Revision to the Basis for Listing a Chemical: Chlorsulfuron OEHHA removed male reproductive toxicity as a basis for the listing of chlorsulfuron. Effective 06/11/2010.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA06182010-6	Proposition 65 Fumonisin B1	6/18/2010	CRNR 2010, 25z, p. 961	Notice Withdrawal	Office of Environmental Health Hazard Assessment Notice of Withdrawal: Proposed Amendment to Section 25705(d): Specific Regulatory Level Posing No Significant Risk: Fumonisin B1 Withdraws proposed rulemaking (CRNR 2009, 41z, p.1771, 10/09/2009). The initial statement of reasons document and proposed revisions can be found at this website .	
CA06182010-7	Proposition 65 Safe Harbor	06/11/2010	CRNR 2010, 24z, p. 917	Notice Withdrawal	Office of Environmental Health Hazard Assessment Withdrawal of Safe Harbor Regulatory Concept-Proposition 65 [Sections 25801, 25803, and 25805] Withdraws the regulatory proposal for possible amendments to sections establishing the procedures for calculating "safe harbor" levels for chemicals listed under Proposition 65 due to the determination that significant changes will be made to the proposal based on comments received at a pre-regulatory public workshop to discuss possible draft language.	
CA06182010-8	Renewable Energy Program Fee Structure	06/11/2010	CRNR 2010, 24z, p. 928	Final Rule	California Alternative Energy and Advanced Transportation Financing Authority Amend Regulations for CAEATFA's Fee Program [4 CCR 10020] Revises emergency regulations to establish a single fee structure. Effective 06/01/2010.	
CA06182010-9	Species Van Rossem's gull-billed tern	06/09/2010	75 FR 32728	Notice	U.S. Fish and Wildlife Service Endangered and Threatened Wildlife and Plants; 90-Day Finding on a Petition To List van Rossem's Gull-billed Tern as Endangered or Threatened. [50 CFR 17] Announces a 90-day finding on a petition to list van Rossem's gull-billed tern as an endangered or threatened species and to designate critical habitat. Comments due 08/09/2010.	

2.3 Colorado State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA related operations in Colorado.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CO06182010-1	Waste	06/10/2010	CO Register Vol. 33, No. 12	Final Rule	Colorado Department of Public Health and Environment Hazardous Materials and Waste Management Division [6 CCR 1007] Revised 6 CCR 1007-3 Hazardous Waste to correct errors and inadvertent omissions. Effective 06/30/2010.	
CO06182010-2	Waste	06/10/2010	CO Register Vol. 33, No. 12	Final Rule	Colorado Department of Public Health and Environment Hazardous Materials and Waste Management Division [6 CCR 1007] Revised 6 CCR 1007-3 Part 6 Hazardous Waste Commission Fees to reflect the annual Commission fees assessed for fiscal year 2010-2011. Effective 06/30/2010.	

2.4 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Florida.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL06182010-1	Waste	06/08/2010	FAW Notice #8798693 and #8798596	Final Rule	Florida Department of Environmental Protection Hazardous Waste [Chapter 62–730] Final rule amendments incorporate by reference the changes made to the federal hazardous waste regulations between 07/01/2008 and 06/30/2009. Effective 06/28/2010.	
FL06182010-2	Water Surface Water	06/18/2010	FAW Notice #8776868	Notice of Change	Florida Department of Environmental Protection Surface Water Quality Standards [Chapter 62–302, F.A.C.] Changes have been made to the proposed rule published in FAW Notice #8185265 on 04/23/2010 to revise the existing surface water classification system in Rule 62-302.400, F.A.C., Classification of Surface Waters, Usage, Reclassification, and Classified Waters, and 62-302.530, F.A.C., Table: Surface Water Quality Criteria. Proposed revisions would establish a new sub-classification of Class III waters titled Class III-Limited that is intended to recognize that some artificial or altered waters cannot fully support a Class III use due to human-induced physical or habitat conditions. Changes are listed in the FAW Notice .	
FL06182010-3	Water SJRWMD	06/18/2010	FAW Notice #8668325	Notice Meeting	St. Johns River Water Management District Projects and Land Committee Announces a business meeting to discuss agenda items, followed by Committee recommendations to be approved by the Full Governing Board. Scheduled for 07/12/2010 in Palatka, Florida.	
FL06182010-4	Water SJRWMD	06/18/2010	FAW Notice #8669392	Notice Meeting	St. Johns River Water Management District Announces a public meeting to discuss regulatory and non-regulatory matters. Scheduled for 7/13/2010 in Palatka, Florida.	

2.5 Louisiana State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Louisiana.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA06182010-1	Administrative DEQ Notifications	06/21/2010	36 LR 6 p.1239 MM012	Final Rule	Louisiana Department of Environmental Quality DEQ Notifications to State Police [LAC 33:I.3913, 3915, 3917, 3923, 3925; VII.315, 713; XI.713] Provides miscellaneous revisions to the notification and reporting procedures in the Office of the Secretary, Solid Waste, and Underground Storage Tank Regulations. Effective 06/21/2010.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA06182010-2	Waste Tanks	06/21/2010	36 LR 6 p.1234 HW106	Final Rule	Louisiana Department of Environmental Quality HW Tanks: Secondary Containment Requirements and 90 Day Turnover of Hazardous Waste [LAC 33:V.109, 1109, 1901, 1907, 1909, and 4437] Sets standards for the use of concrete as an external secondary containment system for hazardous waste tanks. Provides an approval process for using unlined or uncoated concrete as an external liner system under specific circumstances. Also clarifies and adds an additional subsection to compliment the requirement of LAC 33:V.1909.D, relating to the subject "accumulation time" exemption from hazardous waste permitting requirements by using a flow-through calculation in certain situations. Effective 06/21/2010.	MAF should be aware of the final rule.

2.6 Maryland State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Maryland.

2.7 Mississippi State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Mississippi.

2.8 New Mexico State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in New Mexico.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
NM06182010-1	Air	06/11/2010	75 FR 33174	Final Rule	U.S. Environmental Protection Agency Approval and Promulgation of Implementation Plans; New Mexico; Excess Emission; [40 CFR Part 52] Announces approval of a portion of the New Mexico SIP for the purpose of addressing the "good neighbor" provisions of the CAA Section 110(a)(2)(D)(i) for the 1997 ozone NAAQS and the 1997 PM2.5 NAAQS. Effective 07/12/2010.	

2.9 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Ohio.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH06182010-1	Air Permits To Install	06/07/2010	OEPA DAPC News	Adoption of Emergency Rule	Division of Air Pollution Control, Ohio Environmental Protection Agency Adoption of Emergency Amendments [OAC Chapter 3745-31-03] Adopts emergency rule incorporating revisions to the Permit to Install New Sources of Pollution program that include adding definitions applicable to the existing emergency generator, air compressor, and water pump exemption and permit-by-rule to allow participation in local and regional emergency load response programs. Effective 06/07/2010.	
OH06182010-2	Air Permits To Install	06/07/2010	OEPA DAPC News	Proposed Rule	Division of Air Pollution Control, Ohio Environmental Protection Agency Proposed Amendments [OAC Chapter 3745-31-03] Proposes amendments to the Permit to Install New Sources of Pollution program. The amendments are identical to those identified in the emergency rule adopted on the same date. Once finalized, this proposal will replace the emergency rule. Further details regarding the proposed rule, including the Public Notice , Proposed Rule and Synopsis , are available on the OEPA website . Public hearing is scheduled for 07/16/2010 at Ohio EPA Lazarus Government Center, Columbus, Ohio. Comments due 07/16/2010.	

2.10 Texas State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Texas. Citations of the *Texas Register* are linked within the text to the corresponding entry in the version of the *Texas Register*. Current and historical versions of the *Texas Register* can be downloaded from the [Texas Register section of the Texas Secretary of State website](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX06182010-1	Air Annual Fees	06/18/2010	35 TexReg 5281	Adopted Rule	Texas Commission on Environmental Quality General Air Quality Rules [30 TAC 101.27] Amends rules so that only the owners or operators of Title V sources are assessed an air emissions fee. Effective 06/24/2010.	
TX06182010-2	Air NAAQS	06/18/2010	35 TexReg 5187	Notice Withdrawal	Texas Commission on Environmental Quality Failure to Attain Fee [30 TAC 101] Withdraws proposed rules (34 Tex Reg 8644 , 12/04/2009) regarding assessment and collection of the failure to attain fee for the Houston-Galveston-Brazoria nonattainment area. Several options were proposed to provide flexibility in assessment of the fee. The proposed rules were withdrawn because they were not adopted within 6 months.	

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX06182010-3	Air Public Meeting	06/18/2010	35 TexReg 5276	Adopted Rule	Texas Commission on Environmental Quality Requests For Reconsideration and Contested Case Hearings; Public Comment [30 TAC 55] Adopts proposed amendments (34 TexReg 9305 , 01/15/2010) without changes. Amends rules to require a public meeting when a request for one is received by an interested person for applications for PSD and nonattainment air quality permits and for hazardous air pollutant permits. Effective 06/24/2010.	
TX06182010-4	Air Public Notice	06/18/2010	35 TexReg 5198	Adopted Rule	Texas Commission on Environmental Quality Public Notice [30 TAC 39] Adopts proposed amendments (35 TexReg 306 , 01/15/2010) with changes to the existing public participation process for air quality permit applications: <ul style="list-style-type: none"> Expands the scope of applications that are subject to the Notice of Application and Preliminary Decision to all air quality permit applications, except certain permit renewal applications; previously minor new source review applications were excluded from this notice requirement unless a request for a contested case hearing was received, or such request was withdrawn. Promulgates changes to specifically set forth in the rules all persons to whom notice must be given, as well as specific notice content. Revises rules to segregate certain requirements for air quality permits. Effective 06/24/2010.	

2.10.1 New HRVOC Cap and Trade ECT-6H Guidance Available

Guidance and clarification for participants in the Harris County HRVOC Emissions Cap and Trade is now available for the Form ECT-6H submittal (Baseline Emissions Certification Form). The guidance is available on the [HRVOC Emissions Cap and Trade Program web page](#).

2.11 Utah State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA related operations in Utah.

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
UT06182010-1	Waste Penalties	06/15/2010	UT Bull. Vol. 2010-12: DAR File No. 33682	Proposed Rule Continuation	Utah Department of Environmental Quality Division of Solid and Hazardous Waste; Penalty Policy [UAC R315-102] Proposes the continuation of existing state regulations that authorize the issuance of penalties against any person violating the Utah Solid and Hazardous Waste Act. Continuation of the regulations is necessary to maintain compliance with EPA requirements.	

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
UT06182010-2	Waste Universal Waste Management	06/15/2010	UT Bull. Vol. 2010-12: DAR File No. 33681	Proposed Rule Continuation	Utah Department of Environmental Quality Division of Solid and Hazardous Waste; Standards for Universal Waste Management [UAC R315-16] Proposes the continuation of existing state regulations that provide standards for handling of universal waste. Continuation of the existing regulations is required to maintain equivalency with EPA regulations.	

2.12 Virginia State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Virginia.